

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

PURDUE PHARMA PRODUCTS L.P., NAPP	)	
PHARMACEUTICAL GROUP LTD., BIOVAIL	)	
LABORATORIES INTERNATIONAL SRL, and	)	
ORTHO-MCNEIL, INC.,	)	
	)	C.A. No. 07-255-JJF
Plaintiffs,	)	
	)	
v.	)	
	)	
PAR PHARMACEUTICAL, INC. and PAR	)	
PHARMACEUTICAL COMPANIES, INC.,	)	
	)	
Defendants.	)	

**NOTICE OF MOTION**

TO:

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Rodger D. Smith II, Esquire	The Bayard Firm
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PLEASE TAKE NOTICE that Defendants Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc.'s Motion to Compel Production of Certain Discovery and Amend Scheduling Order shall be presented to the Court on July 11, 2008 at 10:00 a.m.

Of Counsel:  
Edgar H. Haug  
Robert E. Colletti  
Frommer Lawrence & Haug LLP  
745 Fifth Avenue  
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(212) 588-0800

Dated: June 12, 2008



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Attorneys for Defendants Par Pharmaceutical,  
Inc. and Par Pharmaceutical Companies, Inc.

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LABORATORIES INTERNATIONAL SRL, and	)	
ORTHO-MCNEIL, INC.,	)	
	)	C.A. No. 07-255-JJF
Plaintiffs,	)	
	)	
v.	)	
	)	
PAR PHARMACEUTICAL, INC. and PAR	)	
PHARMACEUTICAL COMPANIES, INC.,	)	
	)	
Defendants.	)	

**DEFENDANTS' MOTION TO COMPEL PRODUCTION OF  
CERTAIN DISCOVERY AND AMEND SCHEDULING ORDER**

Defendants Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc., by and through their undersigned counsel, hereby move the Court for an order compelling the production of certain discovery and amending the scheduling order. The grounds for this motion are set forth in Defendants' Opening Brief in Support of Their Motion to Compel Production of Certain Discovery and Amend Scheduling Order and the Declaration of Robert E. Colletti in Support of Defendants' Motion to Compel Production of Certain Discovery and Amend Scheduling Order filed contemporaneously herewith.

Of Counsel:  
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(212) 588-0800

Dated: June 12, 2008

  
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PURDUE PHARMA PRODUCTS L.P., NAPP  
PHARMACEUTICAL GROUP LTD., BIOVAIL  
LABORATORIES INTERNATIONAL SRL, and  
ORTHO-MCNEIL, INC.,

Plaintiffs,

v.

PAR PHARMACEUTICAL, INC. and PAR  
PHARMACEUTICAL COMPANIES, INC.,

Defendants.

C.A. No. 07-255-JJF

**ORDER**

WHEREAS, Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc. (“Par”) having moved the Court for an order compelling the production of certain discovery and amending the scheduling order (the “Motion”);

WHEREAS, the Court having considered the briefs and arguments in support of and opposition to the Motion;

IT IS HEREBY ORDERED, this \_\_\_\_\_ day of \_\_\_\_\_, 2008 that the Motion is GRANTED as follows:

1. All discovery noticed prior to June 5, 2008 shall be completed.
2. Par shall be entitled to take discovery relating to issues addressed in late-produced documents.
3. Expert reports shall be exchanged after the completion of fact discovery, or in the alternative, the parties shall be permitted to supplement and/or add expert reports after the June 20, 2008 deadline.

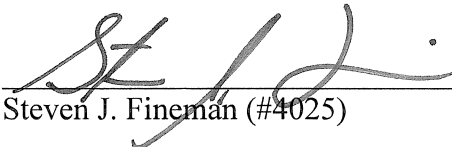
4. Purdue Pharma Products L.P. and Napp Pharmaceutical Group Ltd. shall produce all documents from their privilege logs relating to the experimental testing performed using the Merek reference as a guideline.
5. All documents withdrawn by Purdue Pharma Products L.P. as inadvertently produced shall be produced to Par within five days of entry of this order.

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United States District Judge

**CERTIFICATION PURSUANT TO  
DISTRICT OF DELAWARE LOCAL RULE 7.1.1**

Counsel for Defendants has consulted and exchanged correspondence with counsel for Plaintiffs pursuant to District of Delaware Local Rule 7.1.1 and has determined that Plaintiffs are opposed to the relief sought in the attached motion.

  
\_\_\_\_\_  
Steven J. Fineman (#4025)

IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF DELAWARE

CERTIFICATE OF SERVICE

I hereby certify that on June 12, 2008, I electronically filed the foregoing document with the Clerk of Court using CM/ECF which will send notification of such filing(s) and Hand Delivered to the following:

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I hereby certify that on June 12, 2008, I have sent by Electronic Mail, the foregoing document to the following non-registered participants:

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